



MICHELLE LUJAN GRISHAM
GOVERNOR

JAMES C. KENNEY
CABINET SECRETARY

March 06, 2024

U.S. Environmental Protection Agency
EPA Docket Center, Office of Water Docket
Mail Code 28221T
1200 Pennsylvania Avenue NW
Washington, DC 20460

Submitted electronically to: <https://www.regulations.gov/>

RE: Clean Water Act Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category - Docket ID No. EPA-HQ-OW-2021-0736

Dear Administrator Regan,

The New Mexico Environment Department (NMED) appreciates the opportunity to submit comments to the U.S. Environmental Protection Agency (U.S. EPA) on the Clean Water Act Effluent Limitations Guidelines and Standards for the Meat and Poultry Products Point Source Category. U.S. EPA published the notice in the Federal Register on January 23, 2024, Docket ID No. EPA-HQ-OW-2021-0736.

The proposed regulations will be more protective of groundwater aquifers that are a primary or sole source of drinking water around the state and lead to a reduction of risk to surface drinking water sources by contamination from meat and poultry facilities, and by harmful algal blooms. In addition, New Mexico is an arid state, so many streams and rivers are effluent-dominated and do not meet nutrient (total nitrogen and total phosphorus) water quality standards. The proposed Meat and Poultry Products Effluent Guidelines would lead to a reduction in pollutants discharged to surface waters in New Mexico, specifically nutrients and *E. coli*.

For the reasons stated above, NMED has a favorable opinion of U.S. EPA's proposed rule change in establishing more stringent effluent limitations for nitrogen and phosphorus as well as the addition of limitations for direct dischargers for *E. coli* bacteria and the extension of effluent limit guideline coverage to include indirect dischargers.

Sincerely,

A handwritten signature in blue ink that reads "James C. Kenney".

James C. Kenney
Cabinet Secretary

Cc: Courtney Kerster, Senior Advisor, Office of Governor Michelle Lujan Grisham
Dr. Sydney Lienemann, Deputy Cabinet Secretary of Administration, NMED
John Rhoderick, Director, Water Protection Division, NMED